

never came to my house after Laura's disappearance.

Cross Examination It had been two months since the prisoner had visited my house, previous to the Sunday before she disappeared, recollections most distant as to the time when at James Melton's for the second time on that Friday, I did not say that I didn't care what became of Laura so I found the mare, nor did I say that I would kill Laura if I found her.

Mrs. Betty Scott testified that "I saw Laura on the Friday morning she was missing. She was riding her father's mare bareback, with a bundle of clothes in her lap and was coming from her father's past A. Scott's house where I was. I met her in the road.

Here it was proposed on the part of the state to offer in evidence, the conversation which ensued between the witness and Laura while on her journey, as explanatory thereof and as part of the fact of her going from her father's house to the place near where her body was found. As a part of res gesta. It was objected to by the prisoner as res inter alias acta. Objection overruled, evidence submitted as follows:

I ask Laura if Mr. Dula had come, she said yes, he came just before day. I ask where he was, she said, to Frank and Manda Barnes. I said if it was me, I would have been further on the the road by this time, she said she had started as soon as she could. I asked where she had expected to meet him, she said at the Bate's place. The witness further stated that these questions had been asked in consequence of a conversation, made to her by Laura, a day or two before. (The prisoner excepted) I saw Dula on the Wednesday before that Friday, some three miles from Wilson Foster's house, he was on foot.